

PURPOSE

To set standards for residential facilities to maintain accurate vacancies and contact information in order for the Juvenile Justice Assignment Unit to make timely and appropriate placement assignment for youth under the care and supervision of the Michigan Department of Health and Human Services. The admissions policy provides guidance to facility staff related to required activities after a youth has been accepted for admission through the Juvenile Justice Assignment Unit process; see [JJM 700, Juvenile Justice Assignment Unit Placement Process](#).

DEFINITIONS

See [JRG, JJ Residential Glossary](#).

RESPONSIBLE STAFF

State run and private, contracted juvenile justice residential treatment facility staff. Specific facility staff must be designated in the facility standard operating procedure.

PROCEDURE

Each facility must develop and implement standard operating procedures (SOPs) related to the Juvenile Justice Assignment Unit processes and pursuant to Mich Admin Code, R 400.4109(c), for admissions. At a minimum, these standard operating procedures must contain the following requirements outlined in this policy.

**JUVENILE JUSTICE
ASSIGNMENT UNIT
PREFERENCES**

State run and private, contracted juvenile justice residential treatment facility staff must maintain JJAU preferences as required in [JJM 700, Juvenile Justice Assignment Unit Placement Process, JJAU Preferences](#).

**JJAU Placement
Request Packet**

The juvenile justice specialist must complete a JJAU placement request packet. All documents must be legible and be released in compliance with federal and state law. For more information on the required documentation for a JJAU placement request packet, see

[JJM 700, Juvenile Justice Assignment Unit Placement Process, JJAU Placement Request Packet.](#)

Independent Assessment

All youth entering a residential care program on or after April 1, 2021, pursuant to Families First Preservation Act, 42 USC 672, must be assessed by a contracted qualified independent assessor, whenever possible this will occur prior to referral to any residential care program. The facility director and/or designee must not routinely accept youth for placement from the JJAU unless that residential intervention is the least restrictive setting in which they can be served.

When JJAU receives a referral, they will begin to fill out form MDHHS-5847, Assessment for Determination of Placement Referral, in collaboration with the youth's juvenile justice specialist (JJS). Once JJAU determines that all required documentation is received and the MDHHS-5847 is complete, JJAU will make the referral to the independent assessor.

In some emergency situations, a youth may be referred to a residential care program prior to the completion of the assessment. In these instances, the residential care program is not responsible for conducting or securing the assessment. The referral will be made by the JJAU and the assessment will be conducted by a qualified independent assessor. The facility director and/or designee must cooperate with the independent assessor and the youth's JJS for placement to ensure the youth receives the required independent placement assessment within 30 days of placement.

JJAU Placement Match

A youth may be assigned, placed on the provider wait list or withdrawn by the JJAU.

Assigned

An assignment is a placement where a youth's age, gender and indicated treatment needs align with the provider's contracted Service Description and JJAU Preferences and the provider has a vacancy expected within the next 7 calendar days.

JJAU placement matches are based on the results of the most recently approved Michigan Juvenile Justice Assessment System

Dispositional Assessment and the most recently completed JJ Strengths and Needs Assessment. These assessments, in conjunction with established placement selection criteria, are the basis for the final match that JJAU assigns for the youth.

Wait List

A youth may be placed on the provider wait list if the JJAU would have assigned the youth to the provider, but the provider has reported that there is no vacancy expected within the next 7 calendar days. Upon receipt of the wait list notification, the provider must notify the JJAU of the expected waiting period for the next vacancy. The JJAU will notify the juvenile justice specialist of the wait list status. The court may wait or direct a new JJAU assignment.

Withdrawn

If the assigned provider is not acceptable to the court or if the JJAU is provided with documents that eliminate the possibility of the youth being placed with the assigned provider, the JJAU will withdraw the assignment. The JJAU will assist the juvenile justice specialist to make a new assignment.

**Placement
Provider
Acceptance**

A state operated or private, contracted juvenile justice residential treatment facility or state operated detention facility must not admit a MDHHS-supervised youth without an assignment from the MiSACWIS JJAU placement process. The provider is responsible for responding to the JJAU assignment in MiSACWIS within five business days of receiving notification of an assigned or wait-listed youth.

Accepted

The provider accepts the assigned youth and enters a Probable Admit Date, which is required to be within ten calendar days of acceptance. If the provider cannot admit the youth within ten calendar days, the provider is responsible for notifying JJAU and the youth may be assigned to another provider based on the needs of the youth and the timeliness of the next vacancy.

The provider is required to contact the juvenile justice specialist within one business day of accepting the assigned youth to make arrangements for admission.

Note: If a provider accepts a youth, but the youth is not admitted, the provider is required to document this and close the residential record in MiSACWIS. For example, the provider accepts the youth, but the judge orders that the youth be placed at another residential facility or the youth goes AWOL or escapes prior to being admitted.

Not Accepted - Secure Providers

Secure state run and secure private, contracted juvenile justice residential treatment facilities are required to accept every JJAU assignment.

Not Accepted - Non-Secure Providers

Based on information provided in MiSACWIS and the JJAU Referral Packet, a non-secure private, contracted, juvenile justice residential treatment facility may respond in MiSACWIS that a JJAU assigned youth is Not Accepted. A detailed explanation needs to be documented in MiSACWIS as to the circumstances that exist that would place the assigned youth, other youth or staff safety at risk.

If the provider has safety concerns but cannot make a decision based on the information available in MiSACWIS and the JJAU Referral Packet, the provider is required to contact the juvenile justice specialist or the JJAU within 1 working day to request supplemental information.

If the provider does not accept the youth based on safety reasons, any supplemental information should be returned immediately to the juvenile justice specialist or JJAU. The JJAU will assist the juvenile justice specialist to make a new assignment.

Individual Service Agreement

After a youth has been accepted for placement, forward the DHS-3600, Individual Service Agreement, to the placement provider by the scheduled admission date; see [JJM 700, Juvenile Justice Assignment Unit Placement Process](#). For emergency placement, a DHS-3600, Individual Service Agreement must be provided no later than the first business day following placement.

Exception: The DHS-3600, Individual Service Agreement, is not required for state run facilities.

COURT SUPERVISED YOUTH

State run facilities are responsible for immediately reporting any court-supervised placements (also known as direct court placements) to the JJAU. A court-supervised placement occurs when the court orders a youth into a placement without referring or committing the youth to MDHHS for care and supervision; see [JJM 700, Juvenile Justice Assignment Unit Process, Court Supervised Youth](#), for detailed information on the actions that are required to be taken by state run facility staff and JJAU.

ABUSE/NEGLECT YOUTH

For the placement of an abuse/neglect youth in a state run or private, contracted juvenile justice residential treatment facility; see [FOM 903-04, Purchased Care Payment Procedures, Placement of an Abuse/Neglect Ward in a Contracted JJ Program](#), for approval process and [FOM 722-03, Placement Selection and Standards, Residential Placement Exception Requests](#), for information on placement exception request (PER) processes.

RESIDENTIAL REPLACEMENT PROCESS

Provider Request for Replacement

A youth must not be moved from one residential treatment program or facility to another without going through the JJAU placement process. The assigned provider is responsible for continuing residential treatment services for the youth and the youth's family until:

- Release is approved by the court, and
- MDHHS assigns a new placement.

Disruption of, or non-cooperation in the program is not sufficient reason for replacement of a youth.

**Co-Located
Residential
Treatment
Programs**

Youth must not be moved from one residential placement or program to another, even within the same campus area without going through the JJAU placement process. A new JJAU Placement Referral is required to be completed in MiSACWIS when a youth will remain with the same provider, but permission has been given by the court to release the youth to a new placement or program with a different Service Description (for example, mental health and behavior stabilization to general residential), a change in rate, and/or security level. Information must be used from visits with the youth, treatment team and treatment plans to collaborate with the juvenile justice specialist to ensure that a youth is benefitting from treatment.

**Maximum Benefit
Reached**

When a youth does not benefit from or has reached maximum benefit, the residential treatment staff is responsible for meeting with the juvenile justice specialist to resolve the issue. If the issue cannot be resolved, the residential treatment staff is responsible for seeking resolution through consultation with the facility director and the juvenile justice specialist supervisor; and if necessary, with the child welfare licensing consultant for the facility.

See [JJM 700, Juvenile Justice Assignment Unit Process, Maximum Benefit Reached](#), for more information.

**Detention to JJ
Residential
Treatment Facility**

A youth may not be moved from detention to a residential setting without using the JJAU placement process. Based on the contents of the detention court order, a new court order may be required to end the period of detention, direct the youth to a specific program or allow the JJAU to match a youth with an appropriate juvenile justice residential treatment facility.

TEMPORARY BREAKS

When a youth escapes or is absent from a placement for 14 calendar days or less (such as hospitalization), the youth may be placed back in the original placement without receiving a new assignment from the JJAU. When a youth escapes or is absent from a placement for more than 14 calendar days, a DHS-234, Release Report, must be completed for the original placement and a new assignment from the JJAU must be received to create a new residential record for the new admission. See [JRM 501, Escape Response](#), for additional requirements when a youth escapes.

Note: A QRTP assessment is not needed if the youth returns to his/her original placement.

ESTABLISHING THE YOUTH'S CASE RECORD

A residential record must be established and maintained in a confidential manner, as established by federal and state law; see [SRM 131, Confidentiality](#), for further information on confidentiality requirements. At the time of the youth's admission, the following must be reviewed and updated as indicated:

- Youth's name (First Name, Middle Name 1, Middle Name 2, Middle Name 3, Last Name, Suffix) and any additional names, Mich Admin Code, R 400.4152(a). Document in the MiSACWIS Person Profile.
- Youth's address, Mich Admin Code, R 400.4152(a). Document in the MiSACWIS Address tab in the Person Profile.
- Youth's date of birth (DOB), Mich Admin Code, R 400.4152(a). Document in the MiSACWIS Basic tab in the Person Profile.
- Youth's gender, Mich Admin Code, R 400.4152(a). Document in the MiSACWIS Basic tab in the Person Profile.
- Youth's race, Mich Admin Code, R 400.4152(a). Document in the MiSACWIS Demographics tab in the Person Profile.
- Youth's height, Mich Admin Code, R 400.4152(a). Document in the MiSACWIS Demographics tab in the Person Profile.

- Youth's weight, Mich Admin Code, R 400.4152(a). Document in the MiSACWIS Demographics tab in the Person Profile.
- Youth's hair color, Mich Admin Code, R 400.4152(a). Document in the MiSACWIS Demographics tab in the Person Profile.
- Youth's eye color, Mich Admin Code, R 400.4152(a). Documenting the MiSACWIS Demographics tab in the Person Profile, Demographics tab.
- Any identifying marks, Mich Admin Code, R 400.4152(a). Document in the MiSACWIS Demographics tab, Distinctive Characteristics in the Person Profile.
- Youth's religion, Mich Admin Code, R 400.4152(a). Document in the MiSACWIS Demographics tab in the Person Profile.
- Youth's school status, Mich Admin Code, R 400.4152(a). Document in the MiSACWIS Education.
- Photograph of the youth within the previous 12 months, Mich Admin Code, R 400.4152(b). Upload to the MiSACWIS Person Overview.
- Brief description of the youth's preparation for placement and general physical and emotional state at the time of admission, Mich Admin Code, R 400.4152(c). Document in the MiSACWIS Admissions, Current Health Status tab.
- Name, address and marital status of parent(s)/legal guardian(s), if known, Mich Admin Code, R 400.4152(d). Document in the MiSACWIS Address tab in the Person Profile of the parent(s)/legal guardian(s).
- Date of youth's admission, Mich Admin Code, R 400.4152(e). Document in the MiSACWIS Admissions.
- Youth's legal status, Mich Admin Code, R 400.4152.

Note: This information should automatically display on the youth's Residential Overview in MiSACWIS.

- Documentation of legal right to provide care. Mich Admin Code R 400.4152(f). Upload the DHS-3600, Individual Service Agreement, to MiSACWIS Documents. State run facilities may

also upload the court order for placement in MiSACWIS Court, Case Court Actions.

- Authorization to provide medical, dental and surgical care and treatment. Mich Admin Code R 400.4152(g). Upload DHS-3762, Medical Care Authorization for Minor Child, to the MiSACWIS Person Overview, Scan Documents.
- Brief description of circumstances leading to the need for care, Mich Admin Code, R 400.4152(h).
- The grievance policy was provided to youth and parent(s)/legal guardian(s), Mich Admin Code, R 400.4132 and R 400.4152(i). See Orientation section for more specific information on Required Orientation Activities for Youth.

Case Record Maintenance

A case record includes both the physical case record and the electronic residential record maintained in MiSACWIS.

Pursuant to Mich Admin Code, R 400.4167, each facility must:

- Maintain a case record for each youth.
- Narrative entries signed and dated by the person making the entry.
- Youth records are to be maintained in a uniform and organized manner, protected against destruction and damage and stored in a manner that safeguards confidentiality.
- Youth records need to be maintained for not less than 7 years after the youth is discharged.

Victim Notification

When victim notification has been requested pursuant to law, the youth's residential record should be marked in a clearly identifiable manner. Victim notification must be documented in MiSACWIS; see [JRM 502, Victim Notification](#), for details on required notifications.

ADMISSIONS

The provider is responsible for contacting the juvenile justice specialist within one business day of accepting the assigned youth to make arrangements for admission.

Once the youth is admitted, document the youth's admission date and other admission requirements in MiSACWIS on the Admissions screen.

Note: MDHHS staff are not required to complete an application or any other extra form(s) that the facility has, to be included in the youth's residential case record or for any other purpose. MDHHS staff are not required to sign any releases, except as noted in [JJM 290, Emergency Medical & Surgical Treatment](#).

Within 24 hours of a youth's admission, the facility director and/or designee, is required to have a telephone call between the nursing staff and/or the consulting psychiatrist when the youth is coming from another placement. At a minimum, the call should cover the following:

- Review youth's medications, including both description, supply or refills available to fill or transfer.
- Youth's overall health status, including current clinical status, current treatment and any diagnostic work up that will not be complete at the time of transition.
- A list of any ongoing laboratory or other monitoring required because of treatment; for example, complete blood counts required for individuals taking clozapine.
- Address any urgent needs.

The facility director and/or designee must ensure that this call is documented in MiSACWIS as a social work contact.

Orientation

Required orientation activities for youth

Residential facility staff are responsible for completing the required orientation activities for youth using the MDHHS-5605, Youth Orientation Checklist. The MDHHS-5605 contains activities that must be completed within 24 hours, 72 hours and 10 days of the youth's admission date. Upon completion, the results are to be

documented in the MiSACWIS Youth Orientation Checklist. The youth and residential facility staff are required to sign the MDHHS-5605 and the signature page must be uploaded to the Youth Orientation Checklist in MiSACWIS.

Pursuant to PREA Standards for Juvenile Facilities (28 CFR 115.316), accommodations must be made for youth who are disabled or non-English speaking; see the [Michigan Department of Health and Human Services' \(MDHHS\) Equal Opportunity and Diversity Policy](#) for requirements on ensuring equal access to services.

Residential facility staff are responsible for giving youth an opportunity to ask questions and provide or make available written materials and handbooks that reinforce, supplement or enhance the orientation process.

Required orientation activities for parent(s)/legal guardian(s) and referral sources.

Residential facility staff are responsible for providing the following to the youth's parent(s)/ legal guardian(s) and referral sources:

- Provide or review a copy of the program statement. Mich Admin Code, R 400.4109(2).
- Standards of conduct, rules and regulations. Mich Admin Code, R 400.4109(c).
- Behavior management/support system. Mich Admin Code, R 400.4157(1).
- Treatment planning process, services and treatment. Mich Admin Code, R 400.4109(c).
- Educational programming and opportunities. Mich Admin Code, R 400.4123.
- Religious/spiritual programming. Mich Admin Code, R 400.4134.
- Release criteria and anticipated release date. Mich Admin Code, R 400.4109(c).
- The grievance policy. Mich Admin Code, R 400.4131. Document in the MiSACWIS, Admissions.

- Policies and procedures regarding restraint. MCL 722.112(d)(5)(a) -(d) and Mich Admin Code, R 400.4159.

Education

A facility may not admit a youth unless an appropriate educational program can be provided, Mich Admin Code, R 400.4123. Youth of school age need to be enrolled within five business days after admission and recorded in MiSACWIS Education. For information on facility staff requesting past education records; see [JRM 400, School Records](#).

Health & Dental Screening

Each youth must have an initial health screening within 24 hours of admission, Mich Admin Code, R 400.4144. Document the results in the MiSACWIS Admission, Current Health Status tab. A physical examination must be completed within 30 calendar days of admission if one has not been completed within one year prior to admission; see [JRM 313, Annual Physical Examination](#), for requirements to complete annual physical examinations.

FORMS

MDHHS-5605, Juvenile Justice Residential Youth Orientation Checklist.

LEGAL BASE

Federal

Social Security Act, 42 USC 675

Requires that each child is placed in a safe, least restrictive (most family like) setting in close proximity to the parents' home, consistent with the best interest and special needs of the child or when placed a substantial distance from the home of the parents the reasons why it is in the best interests of the child. Also requires a child's health and education record be supplied to the provider with whom the child is placed and assurances that each placement takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement.

Social Security Act, 42 USC 675a(c)(1)(A)(i)-(iii)

Requires the youth to be assessed by an independent assessor within 30 days of the start of placement to determine if residential intervention is appropriate for the youth.

Social Security Act, 42 USC 672(3)(A)

If a youth is placed in a qualified residential treatment program, the youth must be assessed within 30 days of placement.

The Prison Rape Elimination Act of 2003, 42 USC 15601, et seq.

Provides for the analysis of the incidence and effects of prison rape in juvenile facilities and to provide information, resources, recommendations, and funding to protect individuals from prison rape.

Prison Rape Elimination Act Standards, Subpart D-Standards for Juvenile Facilities, 28 CFR 115.311-115.393.

Provides juvenile facilities standards for prevention planning, responsive planning, training and education, screening for risk of sexual victimization and abusiveness and reporting.

Preventing Sex Trafficking and Strengthening Families Act, Public Law 113-183. Section 111 Supporting Normalcy for Children in Foster Care

Section 111 of this act establishes standards for normalcy for a child who is in the custody of the state and includes a Reasonable and Prudent Parent Standard and normalizing activities for children.

State**The Child Care Organizations Act, 1973 PA 116, as amended, MCL 722.111 et seq.**

Defines child caring institution and the licensing and regulation and standards of care.

The Child Care Organizations Act, 1973 PA 116, as amended, MCL 722.112d(5)(a)-(d).

Requires residential facility staff to inform the youth and their parent(s) or legal guardian(s) of the facility's policy regarding

restraint or seclusion and obtain written acknowledgement from the youth's parent(s) or legal guardian(s).

2020 PA 107, Omnibus Budget Appropriation Bill, Sec. 709.

The department's master contract for juvenile justice residential foster care services shall be amended to prohibit contractors from denying a referral for placement of a youth, or terminating a youth's placement, if the youth's assessed treatment needs are in alignment with the facility's residential program type, as identified by the court or the department.

**Michigan
Administrative
Code**

Licensing Rules for Child Caring Institutions, Mich Admin Code, R 400.4109.

Requires a residential facility to have and follow a current written program statement that must be provided to the youth, youth's parent(s)/legal guardian(s) and referral sources.

Licensing Rules for Child Caring Institutions, Mich Admin Code, R 400.4123.

Requires a residential facility to not admit a youth unless the facility can provide an appropriate education program to the youth and requires school age enrollment within five school days of admission.

Licensing Rules for Child Caring Institutions, Mich Admin Code, R 400.4132.

Requires residential facilities to have a written grievance procedure that is provided to the youth, parent(s)/legal guardian(s) and referral sources prior to or upon admission.

Licensing Rules for Child Caring Institutions, Mich Admin Code, R 400.4134.

Requires residential facilities to have and follow a policy on religious/spiritual participation that is provided to the youth, the youth's parent(s)/legal guardian(s) and referral sources prior to or at admission.

Licensing Rules for Child Caring Institutions, Mich Admin Code, R 400.4144.

Requires residential facility staff to complete an initial health screening within 24 hours of a youth's admission to the facility. Requires the residential facility to have documentation of an admission physical examination of a youth unless an earlier examination is indicated. Requires residential facility staff to have sufficient health history information for each youth. When a parent(s)/legal guardian(s) refuses medical or physical examinations or treatments on religious grounds, the refusal must be made in writing and retained in youth's case record.

Licensing Rules for Child Caring Institutions, Mich Admin Code, R 400.4152.

Provides the required documents that must be in a youth's case record at the time of admission.

Licensing Rules for Child Caring Institutions, Mich Admin Code, R 400.4167.

Provides residential facility requirements on maintaining a case record for each youth. Requires narrative entries in the case record to be signed and dated by the person making the entry. Requires the records to be maintained in a uniform and organized manner and shall be protected against destruction and damage and be stored in a manner that safeguards confidentiality. Requires case records to be maintained for not less than seven years after the youth discharges.

POLICY CONTACT

Policy clarification questions may be submitted by facility supervisors or managers to: Juvenile-Justice-Policy@michigan.gov.

JJAU Placement Process questions may be submitted to: JJAU@michigan.gov.